

### **REMARKS**

Applicants respectfully request reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1-3 are pending in this application, and stand rejected. By this amendment, claims 1-3 are amended. No new matter is added by this amendment.

#### **Rejection under 35 U.S.C. §103**

Claims 1-3 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,736,507 to Kudryashov et al. (“Kudryashov”) in view of U.S. Patent No. 6,369,831 to Baba et al. (“Baba”).

The Office Action indicates that Kudryashov discloses each and every elements of the claims except for the “conversion means” and cites Baba as disclosing the lacking element.

Claims 1-3 have been amended for further clarification. In particular, amended claim 1 recites, *inter alia*, that “a plurality of lookup tables; setting means for setting a first lookup table of the plurality of the lookup tables in the moving image observation operation, and setting a second lookup table of the plurality of the lookup tables in the static image taking operation; and gradation conversion means for gradationally converting the digital data by using the lookup table set by the setting means, wherein the first lookup table is used so as to enhance a region of a blood vessel on a retina image formed on the basis of a histogram calculated from the digital data.” Claim 3 has been amended in a similar manner to claim 1 as described herein. Support for the amendment may be found throughout the specification including, e.g., page 9, line 19 through page 10, line 18.

The invention of amended claim 1 has a feature that the lookup tables of the digital data are switched between in cases of the moving image observation operation and the static image taking operation. Particularly, the lookup table for enhancing a region of a blood vessel on a retina image is formed on the basis of a histogram in the case of the moving image observation operation. As the result, the apparatus of the present invention can enhance the region of the blood vessel on a retina image, in a case that width of a pixel value in the interest region is narrow when the infrared light is used for the moving image observation operation.

The invention of claim 3 as amended also has a feature that the lookup tables of the digital data are switched between in cases of the moving image observation operation and the static image taking operation. Particularly, the first lookup table is formulated on the basis of a gain of the image pickup means and amount of light from the observation illumination means, in the moving image observation operation. As the result, the apparatus of the present invention can enhance the region of the blood vessel on a retina image even if the infrared light is used in the moving image observation operation.

Kudryashove discloses, *inter alia*, means for providing an evidence of fundus of the eye to be examined, and means for taking the image thereof. However, Kudryashove fails to teach or suggest the above described feature of the present invention, i.e., the lookup tables are changed therebetween in cases of the moving image observation operation with infrared light and the static image taking operation.

Baba discloses a circuit using a lookup table so as to perform a view-point converting process with high speed. However, Baba also fails to teach or suggest the above described feature of the present invention, i.e., the lookup tables are changed therebetween in cases of the moving image observation operation with infrared light and the static image taking operation.

Additionally, neither Kudryashove nor Baba shows or suggests that the lookup table for enhancing a region of a blood vessel on a retina image is formed on the basis of a histogram in the case of the moving image observation operation as recited in claim 1 as amended, and that the first lookup table is formulated on the basis of a gain of the image pickup means and amount of light from the observation illumination means, in the moving image observation operation as recited in claim 3 as amended.

Accordingly, each of amended claims 1 and 3 is neither anticipated by nor rendered obvious in view of the cited references (i.e., Kudryashove and Baba), either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claim 1 and 3 under 35 U.S.C. §103(a) is respectfully requested.

Applicants have not individually addressed the rejections of the dependent claim 2 because Applicants submit that the independent claim 1 from which they respectively depend is in condition for allowance as set forth above. Applicants however reserve the right to address such rejections of the dependent claims should such be necessary.

Applicants believe that the application as amended is in condition for allowance and such action is respectfully requested.

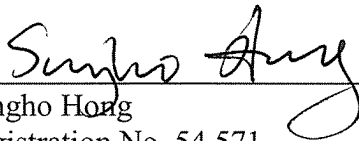
**AUTHORIZATION**

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5070). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: June 14, 2007

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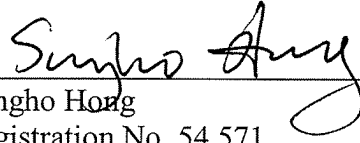
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